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Executive summary

Note by the Secretariat

Addendum

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II. Executive summary

Nauru

1. Introduction: Overview of the legal and institutional framework of Nauru in the context of implementation of the United Nations Convention against Corruption

The Convention was acceded to by the Government of Nauru and it entered into force on 11 August 2012. Nauru deposited its instrument of ratification with the Secretary-General of the United Nations on 12 July 2012. The implementing legislation includes, among others, the Constitution of the Republic of Nauru, the Criminal Code 1899 (CC), the Criminal Procedure Act 1972, the Anti-Money Laundering Act 2008 (AMLA), the Proceeds of Crime Act 2004 (POCA), the Public Service Act 1998, the Criminal Justice Act 1999, the Extradition Act 1973 and the Mutual Assistance in Criminal Matters Act 2004 (MACMA).

The CC was under review at the time of the country visit. The Australian Attorney-General's Department has been working with the Government of Nauru to prepare draft legislation as part of the Criminal Code reform process.

Section 51 of the Interpretation Act 2011 sets out that any relevant treaty or other international agreement to which Nauru is a party may be considered when interpreting a written law or statutory instrument in order to: (a) resolve an ambiguous or obscure provision of the law; or (b) confirm or displace the apparent meaning of the law; or (c) find the meaning of the law when its apparent meaning leads to a result that is clearly absurd or is unreasonable.

The Supreme Court is the highest court in Nauru and may hear constitutional issues. Cases can be appealed to a two-judge Appellate Court. Parliament cannot overturn court decisions, but Appellate Court rulings involving non-Constitutional matters can be appealed to Australia's High Court; in practice, however, this rarely happens. Lower courts consist of the District Court and the Family Court. At the time of review, the judiciary consisted of the Chief Justice, two judges, the registrar of the Supreme Court and the Resident Magistrate. Finally, there also are two administrative tribunals: the Public Service Appeal Board and the Police Service Board.

Relevant institutions in the fight against corruption include the Ministry for Justice and Border Control, Director of Public Prosecutions (DPP), Financial Intelligence Unit, Department of Foreign Affairs and Trade, National Police, the Judiciary, Nauru Correctional Services, Office of the Director of Audit and the Nauru Revenue Office/Department of Finance.

Nauru has been assessed by the Asia-Pacific Group on Money Laundering (APG) as to its anti-money-laundering framework.

2. Chapter III: Criminalization and law enforcement

2.1. Observations on the implementation of the articles under review

Nauru has not adopted a comprehensive definition of "public official" or "public servant" that extends to judicial officers, persons performing public functions and

other public officials, in accordance with article 2 of the United Nations Convention against Corruption.

Regarding statistics on corruption cases investigated, prosecuted and adjudicated, it was confirmed during the country visit that there have only been two cases of embezzlement and one case of money-laundering in the past 3-4 years. The absence of case examples affects the analysis of the implementation of the chapter by Nauru, insofar as it was not possible to reach a determination of the effective implementation of the legislative framework in practice.

Bribery and trading in influence (arts. 15, 16, 18 and 21)

Active and passive bribery of persons employed in the public service and certain other officials is criminalized principally in sections 59, 60, 87, 103, 118, 120 and 121 of the CC. However, not all public officials under the Convention are covered. There have been no completed prosecutions arising from allegations of corruption pursuant to chapter VIII (Offences against the Executive and the Legislative) of the CC.

Nauru has not criminalized the bribery of foreign public officials and officials of public international organizations.

Nauru relies on the general bribery provisions to pursue cases of trading in influence. While Nauru's existing bribery provisions could partially cover the relevant conduct, they do not extend to all public officials, nor is the concept of abuse of "real or supposed influence" clearly covered.

Nauru has not criminalized bribery in the private sector.

Money-laundering, concealment (arts. 23 and 24)

The offence of money-laundering is provided in Nauru's AMLA (sections 2 and 3). Section 3 contains the physical and material elements of the money-laundering offence as required under the Convention. For the conversion or transfer of property, there is no requirement to prove that it is for the purpose of concealing or disguising its illicit origin. Nauru has adopted measures that mostly cover the participatory acts outlined in article 23 (1) (b) (ii) (e.g., acts of participation and association do not seem to be specifically covered). AMLA uses a threshold approach for predicate offences which includes most but not all Convention offences. There has been one successful prosecution of a money-laundering case in Nauru in 2010.

Section 2 of AMLA addresses the concealment of proceeds of crime, although the continued retention of criminal proceeds does not seem to be covered.

Embezzlement, abuse of functions and illicit enrichment (arts. 17, 19, 20 and 22)

CC provisions criminalize theft and related offences (sections 390-399), obtaining property by false pretences (426-431) and misappropriation by members of local authorities (440) as well as false accounting (441-442). The legislative measures provided in the domestic laws of Nauru are limited to the embezzlement of certain types of property. Nauru's theft offence covers only inanimate and moveable "things" that are the property "of any person". There have been two cases of theft by public servants in the past five years.

Nauru's offence of abuse of office (i.e., sections 92, 93, 112, 136 CC) is limited to "arbitrary acts prejudicial to the rights of another" and does not extend to any violation of law committed by a public official in the discharge of official functions.

Nauru has not criminalized illicit enrichment. However, members of Parliament are required to declare their outside interests under the Code of Conduct.

A number of provisions are relevant to embezzlement in the private sector, in particular articles 437 and 438 regarding the fraudulent appropriation of property and false statements by officials of companies, with the same limitations as in the case of embezzlement in the public sector.

Obstruction of justice (art. 25)

Obstruction of justice is criminalized principally in sections 57, 122, 126, 127, 128, 129, 130, 132, 133 and 140 CC. In particular, section 127 (Corruption of Witnesses) appears to cover the bribery of witnesses and could extend to the specified means (use of physical force, threats or intimidation) while section 140 could conceivably extend to interference with justice or law enforcement officials. There have been no cases of obstruction of justice.

Liability of legal persons (art. 26)

Nauru has established the criminal liability of legal persons, although there have been no related investigations or proceedings and no criminal or administrative cases where companies were fined, dissolved or their licences withdrawn for corruption or money-laundering.

Participation and attempt (art. 27)

Participation in offences is criminalized (section 7 CC on principal offenders, section 8 on offences committed in prosecution of common purpose, sections 10 and 544 on accessories after the fact and sections 132 and 541 on conspiracies). Attempts are covered (section 4 CC). There were no related investigations or prosecutions.

Prosecution, adjudication and sanctions; cooperation with law enforcement authorities (arts. 30 and 37)

The determination of sanctions generally takes into account the gravity of offences.

According to the Parliamentary Powers, Privileges and Immunities Act 1976, members of Parliament enjoy functional immunity from civil or criminal proceedings for conduct in the consideration of parliamentary matters as well as criminal immunity from arrest for any criminal offence without the consent of the Speaker while in the Parliament premises when Parliament is in session. No consent is needed, however, for their prosecution. In the past two years there have been no related cases. Neither the President nor any other public servant enjoys criminal immunity. It was also confirmed that the presidential pardon has not previously been used in corruption-related cases.

Nauru follows a system of discretionary prosecution. While the DPP has broad discretion to prosecute, several legal safeguards are in place that require him to exercise this discretion judiciously, in the public interest and based on the

sufficiency of evidence. Prosecution decisions by the DPP are subject to judicial review, although there have been no such cases. The prosecution guidelines of Australia are currently being used, and independent guidelines for Nauru are under development. Steps were taken in 2010 to increase the independence of the DPP by making it a constitutional office in the Ministry of Justice. The DPP is not accountable to any other office or position with regard to the powers of prosecution, although administratively he is subject to the Secretary for Justice for budget and resource allocations. The DPP cannot direct or control investigations by the police.

Conditions on release pending trial are designed to ensure the presence of the defendant at criminal proceedings.

Nauru has a Parole Board that recommends determinations on parole to the Minister of Justice. Any such applications must be supported by a completed checklist setting out the grounds for decision to support parole, and community support is needed. Since 2010, two persons have been released on parole in corruption-related matters.

Suspension and dismissal on conviction are provided for. However, few investigations have been carried out and no charges applied.

The disqualification of accused persons from holding public office is limited due to the lack of a definition of "public official" or "public servant".

Nauru operates a prisoner rehabilitation programme that encompasses education for youth (e.g., math and life skills), counselling and community programmes, as well as regular family visits (twice a week). It was explained that approximately 90 per cent of prisoners participate in the rehabilitation programme. At the time of the country visit there were about 14 persons in prison.

Nauru has not established measures to encourage defendants and persons who participated in the commission of offences to cooperate in investigations and prosecutions, and to provide testimony or evidence in line with the article 37.

Protection of witnesses and reporting persons (arts. 32 and 33)

Nauru has in place procedural measures to ensure the safety of witnesses. These include the housing of witnesses with police guards in the island's main hotel and the potential to place witnesses in the island's "safe house" (although it has never been used). The court also has at its disposal the ability to use restraining orders or impose bail conditions regarding non-contact with witnesses. While legal measures criminalize actions of those who prevent or attempt to prevent witnesses or persons who provide evidence in court from appearing, other acts of interference that do not cause the witness to be absent are not covered. Limited evidentiary measures to protect witnesses and experts and few protections for victims are in place. There have been no cases of witness protection in corruption-related matters.

Nauru has not adopted measures to protect reporting persons and whistle-blowers in cases involving Convention offences (art. 33).

Freezing, seizing and confiscation; bank secrecy (arts. 31 and 40)

POCA and AMLA provide for confiscation, including provisional measures. Under section 17 of POCA, the Court may make a forfeiture order against tainted property in relation of to a person's conviction of a serious offence on the application of the

Secretary for Justice (which includes the DPP under section 2). "Serious offence" is defined (section 3) to include any offence in or outside Nauru that is punishable by imprisonment for not less than 12 months and that includes money-laundering. Similar provisions exist under the Anti-Money Laundering Act 2008.

"Tainted property" under POCA may be inferred under certain circumstances to be proceeds from or instrumentalities used in the commission of crime and property of corresponding value (subsection 17(2)); however, it is restricted to property found in the person's possession or under his control.

There is no provision for instrumentalities "destined for use" in the commission of a serious offence.

Sections 50, 35 and 36 of POCA provide for restraining orders against property under certain conditions to prevent the dealing or disposal of the property, as well as the search for and seizure of suspected tainted property under a search warrant. Under section 54 of AMLA the court may make a freezing order to prevent the dealing or disposal of the property. Part VI of AMLA provides the police various powers to identify and trace tainted property: search and seizure, production of documents and monitoring orders.

There have been no related cases of confiscation, freezing or seizure.

The procedure needed to obtain a court-issued warrant for investigating authorities to access government and financial or commercial records has led to delays in practice.

There are no banks operating in Nauru. POCA provides the National Police Force with powers to compel production and to search and seize documents and other information. The NPF has authority to apply to the court for a production order to seize and obtain records (section 79 POCA). Additional powers relating to the monitoring of accounts and the search for and seizure of tainted property (used to commit a serious offence or the proceeds of a serious offence) are also contained in POCA.

Statute of limitations; criminal record (arts. 29 and 41)

Indictable offences carry no limitation period in Nauru.

Previous convictions, including foreign convictions, can be taken into account during sentencing.

Jurisdiction (art. 42)

Jurisdiction over offences committed on board vessels and aircraft appear to be regulated as an extension of Nauru's territorial jurisdiction and is specifically addressed for money-laundering offences. Nauru has not adopted the active and passive personality principles or the State protection principle in its domestic law.

Consequences of acts of corruption, compensation for damage (arts. 34 and 35)

Nauru has not adopted measures to address consequences of corruption.

Sections 121 and 121A of the Criminal Procedure Act 1972 provide for the power of courts to award expenses or compensation orders. There have been no related cases.

Specialized authorities and inter-agency coordination (arts. 36, 38 and 39)

The key authorities include the Department of Public Prosecutions (DPP), Nauru Police Force and Financial Intelligence Unit (FIU). There is also a Public Audit Office and Public Service Board. Limited information was available regarding the effective functioning of these bodies (resources and training). The police are situated in the President's office, and there are no clear provisions establishing their independence, in particular with respect to sensitive or other investigations and operations. The FIU is situated in the Ministry of Justice and is subject to its administrative supervision, including budgetary allocations. There are no legal provisions to address the independence of the FIU and the adoption of relevant measures is under consideration.

Government institutions in Nauru are situated in close proximity to each other and there is generally close coordination among them. Basic arrangements are in place for cooperation among the authorities (police, FIU, DPP, Public Service). There are memorandums of understanding in place between the Nauru police and the FIU, as well as Nauru police and the customs department, to enhance law enforcement coordination.

While there is no comprehensive programme of interaction or outreach to the private sector, basic arrangements facilitate cooperation with the private sector, including the activities of the FIU and Nauru Agency Corporation (NAC), which provides shareholder and nominee services to domestic and foreign companies in accordance with Nauru's domestic law. There are no civil society organizations on the island. There is no specific duty to report corruption by public officials.

2.2. Successes and good practices

- The absence of a statute of limitations for indictable offences.
- Nauru's efforts to establish and operate the prisoner rehabilitation programme.

2.3. Challenges in implementation

- In the interest of greater legal certainty, it is recommended that Nauru adopt a comprehensive definition of public servants that extends to judicial officers, persons performing public functions and other public officials, in accordance with article 2 of the Convention.
- Enact a comprehensive bribery offence covering all public officials in line with article 15.
- Criminalize the bribery of foreign public officials and officials of public international organizations (art. 16).
- Adopt a comprehensive offence of embezzlement, misappropriation and diversion of property in line with article 17.
- Consider adopting a relevant provision criminalizing trading in influence (art. 18).
- Consider adopting a relevant provision on abuse of functions in accordance with article 19.
- Nauru may wish to adopt a provision criminalizing illicit enrichment (art. 20).

- Consider adopting relevant measures to criminalize bribery in the private sector (art. 21).

- Nauru may wish to expand its offence of embezzlement to fully cover embezzlement in the private sector (art. 22).

- Ensure that proceeds and instrumentalities from the widest range of predicate offences, including Convention offences, are subject to confiscation, freezing and seizure; address participatory acts to money-laundering outlined in article 23 (1) (b) (ii); monitor the risk of money-laundering going forward to ensure the effective implementation of the anti-money-laundering provisions; and furnish copies of the anti-money-laundering laws to the United Nations.

- Ensure coverage of instrumentalities "destined for use" in the commission of serious offences in the POCA (art. 31).

- Review available options to simplify and streamline the procedure for investigating authorities to obtain a court-issued warrant to access government and financial or commercial records, which has led to delays in practice, including the possibility for investigating agencies to obtain government records under administrative powers; and strengthen measures on document retention and security (arts. 31 and 40).

- Take steps to strengthen protections for witnesses, experts and victims, including their physical protection and procedural or evidentiary measures, in accordance with national priorities and existing means, and consider entering into relocation agreements (art. 32).

- Consider adopting measures to protect whistle-blowers and provide for their effective enforcement (art. 33).

- Adopt measures to address consequences of corruption, including the withdrawal of contracts, licences and other remedial measures (art. 34).

- Adopt measures to strengthen the independence of criminal justice institutions, in particular the police, FIU and judiciary; efforts under consideration by Nauru in this regard are welcomed (art. 36).

- There is a need for capacity-building of criminal justice institutions in Nauru, in particular the police, FIU and judiciary, to strengthen investigative skills and financial investigations, as well as prosecutions and adjudications of corruption and economic crime cases, involving all relevant institutions.

- Adopt measures to encourage the cooperation of offenders in investigations and prosecutions; for example, through the possibility of mitigated punishment, plea-bargaining or immunity from prosecution (art. 37).

- Consider taking additional steps to strengthen coordination measures among national authorities, for example to encourage public servants to report information to relevant authorities and to cooperate in investigations or prosecutions (art. 38).

- Nauru may wish to consider taking measures to encourage or require public officials, nationals and residents to report corruption to the appropriate authorities (art. 39).

- Consider adopting the active and passive personality principles and the State protection principle in its domestic law.

2.4. Technical assistance needs identified to improve implementation of the Convention

- Legislative drafting/legal advice with regard to articles 16, 17, 21, 23, 24, 30, 32, 33, 34, 37, 40, 41 and 42.
- Good practices/lessons learned with regard to articles 30, 32, 33, 34, 36, 37, 39, 40 and 42.
- Capacity-building assistance to national authorities with regard to articles 32, 33 and 36.

3. Chapter IV: International cooperation

3.1. Observations on the implementation of the articles under review

Extradition (art. 44)

Extradition is governed by the Extradition Act 1973, which applies to designated countries, subject generally to reciprocity (section 4(5)). Nauru does not make extradition conditional on the existence of a treaty. Nauru only has one bilateral extradition treaty, with the United Kingdom of Great Britain and Northern Ireland. In principle, the Convention could be used as a legal basis insofar as it is in compliance with the Extradition Act, but there has been no experience in its application. Nauru also subscribes to the Commonwealth (London) Scheme on Extradition.

Nauru adopts a list approach to extraditable offences (schedule section 5), which includes most Convention offences; moreover, the minimum imprisonment term of one year for an offence to be extraditable covers most but not all Convention offences.

Certain offences covered by the Convention are not covered or are only partially covered as relevant offences under the Schedule to the Extradition Act, including bribery of foreign public officials and illicit enrichment. Sections 5 (1) (a) and (b) of the Extradition Act provide for the principle of dual criminality.

During the country visit, the reviewers were informed of only one designated country, namely the United Kingdom. The designation of additional countries requires an order by Cabinet and there appear to be no obstacles to expanding the list.

Political offences are exempted from extradition under the Extradition Act (section 6(1)). Nauru appears to have legislatively complied with the requirement of fair treatment by virtue of the due process provisions (article 10 of the Constitution) and sections 7-10 of the Extradition Act. The issues of fair treatment or discriminatory purpose have not been invoked to date.

No person has been extradited from Nauru, but the Republic of Korea has made an extradition request to the Department of Foreign Affairs and Trade of Nauru. The offences in question relate to fraud and forgery in the Republic of Korea. To date, this request has not been complied with, as there is an ongoing legal proceeding in

Nauru. The Cabinet decided that after this proceeding has been concluded, the request would be considered.

Two extradition requests have been received, from Australia and Japan, in relation to the extradition of Nauruan nationals. Both nationals went voluntarily, and therefore the formal request did not need to be acted on. However, the national authorities confirmed that they would have extradited the nationals, subject to the Extradition Act and that there would be no impediments to the extradition of Nauruan nationals generally.

Nauru does not refuse extradition on the basis of nationality. Therefore, Nauru's legislation does not allow for conditional extradition. Refusal to extradite for the purpose of enforcing a sentence on the grounds that the person is a national is not a part of the domestic law of Nauru.

Transfer of sentenced persons; transfer of criminal proceedings (arts. 45 and 47)

Nauru does not have domestic legislation that covers the transfer of sentenced persons. It would therefore need to give effect, through domestic legislation, to the Scheme for the Transfer of Convicted Offenders within the Commonwealth.

Mutual legal assistance (art. 46)

There have been no outgoing or incoming MLA requests. The absence of case examples affects the analysis of the implementation of the article, insofar as it was not possible to reach a determination of the effective implementation of the legislative framework in practice.

Nauru requires dual criminality (section 3, MACMA). The challenge identified is that not all offences covered by the Convention qualify as offences for which MLA may be provided. In principle, Nauru could use the Convention as a legal basis for MLA in corruption-related matters, although there has been no experience in its application.

The central authority for MLA is the Minister of Justice. The Minister may exercise his discretion to provide information spontaneously in relation to money-laundering offences, pursuant to the Proceeds of Crime Act.

There is nothing in the domestic legislation that stipulates that Nauru would not decline to render MLA on the ground of bank secrecy or on the sole ground that the offence is also considered to involve fiscal matters.

MACMA sets out the requirements of consent of the person and conditions of transfer for purposes of giving evidence or testimony. However, procedures could be further simplified and streamlined to allow for extradition to be dealt with efficiently and effectively, including the transfer and return of a person without delay (art. 46(11)(b)).

Incoming requests must be in writing or by e-mail, although oral requests would be accepted if followed by a formal written request. Nauru has not made the requisite depositary notification concerning its central authority or acceptable languages for MLA.

Nauru would permit a hearing to take place by videoconference to the extent that such facilities are available.

Nauru would not use information other than for the purpose stated in the request without the prior consent of the requested State. If Nauru were to disclose information or evidence that is exculpatory to an accused person, the Government would consult with or notify the requested State prior to disclosure.

A court order would be required in order to provide information that is not available to the general public in relation to an MLA request.

Law enforcement cooperation; joint investigations; special investigative techniques (arts. 48, 49 and 50)

Law enforcement cooperation is carried out through agreements and arrangements, as well as on an ad hoc basis. The Transnational Crime Unit (TCU) cooperates internationally, not only through the Pacific Transnational Crime Network (PTCN), but also with the International Criminal Police Organization (INTERPOL), through the Pacific Transnational Crime Coordination Centre (PTCCC), situated in Apia.

Nauru is involved as part of the Pacific Islands Forum secretariat, Pacific Islands Chiefs of Police, Oceania Customs Organization and Pacific Patrol Boat Program. Nauru authorities also cooperate with various other international law enforcement agencies and private industry.

The FIU currently has informal connections with other FIUs. A memorandum of understanding is being drafted with the Pacific Islands Forum countries. The FIU is also part of the Pacific Association of FIUs, but not yet a member of the Egmont Group. The FIU officer has benefited from training provided by the Asia/Pacific Group on Money-Laundering.

There are two Australian Federal Police liaison officers in the Nauruan National Police Force. Nauruan officials have been posted in the PTCCC in Apia. Moreover, the Force has benefited from training overseas such as in Australia, New Zealand and the United States of America.

There appear to be no limitations to law enforcement cooperation in relation to case-specific inquiries and Nauru is able to cooperate within its means to respond to offences committed, also through the use of modern technology where it is available.

In principle, Nauru could use the Convention as a legal basis for law enforcement cooperation, although there has been no experience in its application.

There is nothing that prevents Nauru from carrying out joint investigations on a case-by-case basis. There is one reported ongoing joint investigation where the offence was committed in Nauru in relation to money-laundering, but the person is now located in New Zealand.

Nauru has not adopted measures to allow for the appropriate use by its competent authorities of special investigative techniques, and to allow for the admissibility in court of evidence derived therefrom.

3.2. Successes and good practices

- Nauru's international law enforcement cooperation, especially through the TCU.

3.3. Challenges in implementation

The following steps could further strengthen existing anti-corruption measures:

- Criminalize all the mandatory Convention offences, and consider criminalizing the optional offences, and include them as extraditable offences in the Extradition Act (including to allow for offences that satisfy the dual criminality requirement of the Extradition Act to be deemed extraditable); also designate additional countries pursuant to section 4 of the Extradition Act and give effect in domestic law to the London Scheme for Extradition within the Commonwealth.

- Consider granting extradition requests that include several separate offences, one of which is extraditable (art. 44 (3)).

- Consider simplifying and streamlining procedures and evidentiary requirements in order to allow for extradition requests to be dealt with efficiently and effectively; this may include the adoption of a request management system and internal guidelines, and should include consultation with other States in such procedures (art. 44 (17)).

- Amend the Extradition Act to allow for refusal on the grounds of discriminatory purpose (art. 44 (15)).

- Stipulate in its legislation that Nauru will not refuse extradition on the sole ground that the offence is also considered to involve fiscal matters (art. 44 (16)).

- Consider giving effect, through domestic legislation, to the Scheme for the Transfer of Convicted Offenders within the Commonwealth; and consider entering into agreements or arrangements on the transfer of sentenced persons in order for such persons to complete their sentences in the requesting countries.

- Criminalize all mandatory Convention offences, and consider criminalizing the optional Convention offences, that are currently not established as crimes in domestic legislation to satisfy the dual criminality requirements of MACMA.

- If consistent with its domestic legal system, take such legislative measures as may be necessary to ensure that MLA involving non-coercive measures is afforded in the absence of double criminality, in line with article 46 (9) (b).

- Consider granting legal authority to the competent authority to proactively transmit information (beyond money-laundering offences) to a foreign competent authority in relation to MLA, without a prior request, where such information could assist in the investigation and prosecution of Convention offences.

- Introduce legislative provisions that stipulate that Nauru will not decline to render MLA on the ground of bank secrecy.

- Consider simplifying and streamlining procedures and evidentiary requirements in order to allow for MLA to be dealt with efficiently and effectively, including the transfer and return of a person without delay, pursuant to article 46 (11) (b) of the Convention.

- Notify the United Nations of its central authority and acceptable language(s) for purposes of MLA (art. 46 (13) and (14)).
- Introduce legislative provisions that stipulate that Nauru will not decline to render MLA on the sole ground that the offence is also considered to involve fiscal matters.
- Consider giving effect to the use of the Convention as a legal basis for MLA.
- Consider introducing special investigative techniques, as may be necessary and within existing resources, and providing the corresponding training to law enforcement personnel.

3.4. Technical assistance needs identified to improve implementation of the Convention

- Legislative drafting/legal advice with regard to articles 44, 45, 46, 47 and 50.
- Good practices/lessons learned with regard to articles 44, 45, 46, 47, 49 and 50.
- Capacity-building assistance to national authorities with regard to articles 44, 46, 48 and 49.
- Other assistance with regard to articles 44, 46, 48 and 49.